

Official Minutes for Webb County Commissioners Court Meeting

Monday, June 28, 2004 at 1:00 PM

(Approved 07-12-2004 with corrections in bold and parenthesis)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Jerry Vasquez	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Felix Velasquez	Commissioner, Pct. 3
David Cortez	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 25th day of June 2004. Present also were Ms. Jessica Gonzalez, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Ana Morales, Co-Chief Deputy for Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3 Pledge of Allegiance - Led by Cmr. Gutierrez

- Item No. 4 Approval of minutes

Judge Bruni motioned to accept minutes as presented. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 5 Approval of bills, payroll and monthly reports

Cmr. Velasquez questioned the duplicate payments made to vendors and requested clarification from Ms. Delia Perales. Ms. Delia Perales, County Treasurer, advised the court that she had personally spoken with the county attorney and had forwarded list of duplicate payments to him for collection. Mr. Jorge Flores, County Judge's Chief Financial Officer also added that while he was in office, he repeatedly sent letters to vendors and had received no response. Cmr. Velasquez stated that he is concerned about the system in place and why it did not prevent duplicate payments. **(He**

questioned the rental payments and requested that the County Attorney pursue the matter.) Judge Bruni further stated that vendors that have not refunded duplicate payments need to be taken off vendors list.

Cmr. Velasquez motioned to accept Treasurer's Report. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Vasquez suggested budget be put on next agenda for discussion.

Item No. 6 Communications

Constable Hinojosa addressed the court for possible approval of travel request in the amount of approximately \$990.00 that was not place on agenda. Mr. Leo Flores, County Auditor stated that order approved by court was for any expenditure over \$1,000.00 or 1/12th of department budget, whichever was less. Cmr. Velasquez expressed concerns since he was not aware of the 1/12th stipulation. He requested clarification from the County Clerk at the next meeting.

Cmr. Vasquez motioned to approve Constable Hinojosa's request.

Constable Hinojosa was advised to put item on next agenda to avoid legality problems.

Cmr. Velasquez advised the public of Webb County Appraisal Board meeting to take place Wednesday, June 30, 2004 at 8:30 am and invites everyone to attend. He will raise concerns of his constituents regarding higher property valuations. He also expressed concerns about the tax rates and the possibilities of lowering it in the upcoming budget.

Cmr. Cortez expressed his concerns as well for the Appraisal District and feels some relief for the citizens of this community is needed. He further commented that he would place item on agenda to tax individuals at last year's rate. He added that elected officials also need to find some way to give citizens some type of relief.

Cmr. Vasquez feels that what Cmr. Cortez is proposing is illegal and that rates set forth by the Appraisal District need to be abided. He also stated that he feels the solution to problem is to cut spending.

Judge Bruni stated that in the letter he sent to the editor of the Laredo Morning Times, he expressed his opinions of what is happening at the Appraisal District and encouraged the public to read it.

Cmr. Gutierrez stated that she feels they need to look back at what has caused valuations to go up and that the biggest portion of taxes goes to the school districts.

Item No. 7 Public Comment

Mr. Victor Uvalle, Jr., Texas Association of Counties addressed the court to offer services that could benefit county. He further advised the court to feel free to contact his offices if services were ever needed.

Ms. Martha Sanchez from Mirando City addressed the court to speak about several items not on agenda. She spoke about the caliche pits in the area of Oilton, Texas and the health problems associated with them. She pleaded to the court to take action to help the community and prevent any other problems in the future.

Cmdr. Vasquez motioned for items 33 & 37 to be moved up. Cmdr. Gutierrez seconded the motion. Motion carried 5-0 by unanimous consent.

Item No. 33 Discussion and possible action to purchase foot wear (\$3,593.00) and uniforms (\$10,791.64) for the Sheriff's Department. [Account # 001-2060-6202 and 001-2001-6202 Uniforms]

Mr. Eloy Ramirez Purchasing Agent advised the court of requisitions from the Sheriff's Department to purchase needed shoes and uniforms and was addressing the court for approval of item which is over \$1,000.00. He further stated that he believed the sheriff elect, Rick Flores, was making plans to change the color of the uniforms once he stepped into office. Cmdr. Vasquez stated that he believed the item would be a waste of money since sheriff elect Rick Flores would be changing them in January. He also questioned why the sheriff's office did not purchase uniforms in the last budget. He further stated that he believed it was a shame that Mr. Juan Garza, Sheriff was not present to address item. He added that he would vote to approve shoes only. Ramon Riojas, Sheriff Chief Deputy commented that many deputies had worn out and torn uniforms and that they needed to be replaced. Cmdr. Velasquez also questioned why uniforms were not purchased during last year's budget and whether the court approved uniforms in the current year's budget. Deputy Chief Garcia stated that it was part of the contract between Commissioners Court and the Deputy Sheriff's Association and that the purchase for new uniforms had been an ongoing process for three months now. Sheriff elect Rick Flores addressed the court and questioned timing of purchase. He further stated that a survey was taken at the Sheriff's Office to change uniforms. He asked for the court to take into consideration the fact that the uniforms will be changed once he comes into office. Deputy Chief Garcia further stated that some of the uniforms would go to new deputies hired and was not sure approximately how many there were. Cmdr. Cortez stated he believed change should be a gradual one and that taxpayers will not appreciate the sheriff's office throwing away perfectly good uniforms. He suggested the sheriff's office produce a cost estimate and list of who the uniforms would go to.

Cmdr. Vasquez motioned to approve the footwear only. Cmdr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Sheriff elect Rick Flores asked to know where the boots would be purchased and which deputies the boots would be issued to so he could keep accountability of the footwear purchased and issued.

Item No. 37 Discussion and possible action to approve the following line item transfers:

From:

001-2001-5001	Payroll	\$133,646.00
001-2060-5001	Payroll	\$ 50,000.00

To:

2001-6001	Office Supplies	\$ 10,000.00
2001-6011	Training & Education	\$ 5,000.00
2001-6205	Materials & Supplies	\$ 3,000.00
2001-6402	Repairs & Maintenance Equipment	\$ 3,000.00
2001-6403	Repairs & Maintenance Vehicles	\$ 20,000.00
2060-5003	Overtime	\$ 67,646.00
2060-6001	Office Supplies	\$ 8,000.00
2060-6011	Training & Education	\$ 10,000.00
2060-6205	Materials & Supplies	\$ 10,000.00
2060-6401	Repairs & Maintenance Building	\$ 15,000.00
2060-6402	Repairs & Maintenance Equipment	\$ 20,000.00
2062-6502	Janitorial Supplies	\$ 12,000.00

Mr. Jorge Flores stated he met with sheriffs department concerning overtime and advised the court that they are already in a deficit of \$46,700.00. He also added that they were concerned over the vehicle maintenance line item which only has a \$155.00 budget balance. Cmr. Velasquez expressed concerns about the system allowing over expenditures if the budget is only allotted for a certain amount. Mr. Rick Flores, Sheriff-elect, requested vigilance of the expenditures and explanation of where expenditures are going. Mr. Leo Flores, County Auditor, stated that item is to approve line item transfers not expenditures. Cmr. Gutierrez stated that the overtime, building and equipment repair/maintenance and training and education needed to be approved. Mr. Eloy Ramirez, Purchasing Agent, suggested that the court approve the following line item transfers as they are needed: overtime, building, vehicle and equipment repair/maintenance, materials & supplies, and janitorial supplies.

Cmr. Gutierrez motioned to approve the overtime, building, vehicle and equipment repair/maintenance, materials & supplies, and janitorial supplies. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned for Item No. 10 to be moved up. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 10 Recognition and presentation of the "Laredo Business Persons of the Year" from Laredo Chamber of Commerce:

The Gutierrez Family

Hugo Gutierrez, Hugo Gutierrez, Jr., Hugo Gutierrez, III, Adolfo Gutierrez, Robert Gutierrez, Ricardo Gutierrez

Recognition and presentation of the "Small Business Person of the Year" to 2004 SBA Direct Office Award Winner: Jorge Cedillo

Mr. Miguel Conchas, Laredo Chamber of Commerce, thanked the court for allowing the recognition of the "Laredo Business Persons of the Year" & the "Small Business Person of the Year." He also presented Mr. Arnold Cisneros, chairman of the board of the Laredo Chamber of Commerce, to introduce the recipients. Mr. Arnold Cisneros also thanked the court and recognized the Gutierrez family and Mr. Jorge Cedillo on all their accomplishments. Cmr. Gutierrez went on to read a small history of each recipient and all their accomplishments. Judge Bruni further stated that the court as well as the community was very proud of all their accomplishments. Mr. Jorge Cedillo expressed his gratitude for the courts recognition.

Judge Bruni ordered the court to take a recess for five minutes.

Item No. 8 Discussion and possible action authorizing the Purchasing Agent to secure the services of a Communication Engineer/Specialist on radio towers and equipment to perform the following:

1. Make an analysis of the County's requirements;
2. Recommend the equipment required to upgrade the County's communications;
3. Recommend the equipment required to set up backup communications for the Sheriff's Department utilizing the J.P. Precinct # 4 building tower.

Cmr. Velasquez questioned whether a funding source had been found. Mr. Tomas Rodriguez, County Engineer, stated that it was still in the process of investigation. He also commented that there are no funds for this expenditure and that the Sheriffs Department did have a fund with close to seventy thousand dollars (\$70,000) that could be used for the study. Mr. Carlos Villarreal, Commissioners Court Executive Administrator further added that he had not been able to find a funding source. Cmr. Cortez commented that study needs to be done to help decide what further steps to take.

Judge Bruni motioned to table the item. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 9 Discussion with possible action to accept a grant award from Texas Community Development Program (TCDP Contract # 722205) in the amount of \$500,000.00, for the construction of a sanitary sewer collection system in Colonia Tanquecitos I for the performance period of April 28, 2004 to April 27, 2006.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 11 Discussion and possible action to direct staff to define job descriptions for would be positions of Office Manager and Insurance Manager at the present Risk Management Department.

Cmr. Cortez requests that the court direct staff to describe job descriptions for would be positions of Benefit/Office Manager and Insurance Manager. He further commented that these positions would help to complete work at the Risk Management office. Cmr. Gutierrez questioned whether the two positions would be an addition to the Risk Manager position already in place. Cmr. Cortez commented that he did not believe the risk manager position was needed and that it would be divided into the two new positions and report back to Human Resource person. Cmr. Gutierrez stated that the Insurance Committee would be having a meeting next week and is requesting to be allowed to look at item at the committee level. She also stated that insurance is a specialized field and not certain that anyone present can say for certain what insurance is needed for Webb County. She stated that this is a multi-million dollar department and the need for a consultant is there in order to create comprehensive plan for this department. She felt that it was irresponsible of the court to terminate the previous risk manager and eight months later still not have a replacement and the fact that nothing has been done regarding the June 2003 storm since she was terminated. Cmr. Cortez stated that it was not his fault that the insurance committee has not met or brought any recommendations before the court and that it was time for the court to act.

Mr. Victor Uvalle Jr. from the Texas Association of Counties offered to provide services if needed by the court to evaluate department and its needs.

Cmr. Velasquez stated for the record that the court created the Human Resource Department during the last budget and hopes that department can be funded in upcoming budget. He stated that court needed to appoint someone for this position as well as the IHC director since RFQ's (Request for Qualifications) have already been requested.

Cmr. Cortez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 4-1 with Cmr. Gutierrez voting against.

- Item No. 12 Discussion and possible action to direct staff to analyze the food budget for Webb County Departments and to identify a funding source should any shortages arise.

Cmr. Cortez requested staff to report on food budget and identify source of funds if they are needed.

Cmr. Cortez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 13 Discussion and possible action to accept additional grant award from United Way, for the Emergency Food and Shelter Phase # 22, FY-2004, in the amount of \$6,250.00.

Cmr. Cortez inquired as to whether funds were for food and shelter or if funds would be split for both.

Ms. Cynthia Mares, Community Action Agency Director, responded by saying that money would be used for utility assistance only and not for food.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 14 Discussion and possible action to approve line item transfer from the County Attorney Department Budget as follows:

From:

001-1101-5602	Local Mileage	\$ 500.00
001-1101-6028	Witness Expense	\$ 500.00
001-1101-6014	Equipment Rental	\$1,200.00
001-1101-6022	Professional Services	\$ 800.00

Total: \$3,000.00

To:

001-1101-6011	Training & Education	\$1,000.00
001-1101-6010	Books & Subscriptions	\$1,200.00
001-1101-6204	Fuel/Lube	\$ 800.00

Total: \$3,000.00

Cmr. Cortez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 15 Discussion and possible action to enter into Dental Health Services Agreement for Children enrolled in the Webb County Head Start Program for a period of one year (August 1, 2004 through July 31, 2005), at reduced fees as set forth in the agreement with Dr. Joseph H. Schneidler and authorizing an Exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 16 Discussion and possible action to enter into Medical Health Services Agreements for Children enrolled in the Webb County Head Start Program for a period of one year, at reduced fees as set forth in the agreements, with the following Service Providers:
Dr. Avelino Alvarez – 09/01/2004 through 08/31/2005
Dr. Miguel Cavazos – 09/01/2004 through 08/31/2005
Dr. Amando Garza – 09/01/2004 through 08/31/2005
Dr. Gustavo Villarreal – 09/01/2004 through 08/31/2005
and authorizing an Exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 17 Discussion and possible action to enter into Non-Financial Cooperative Agreements for the Head Start Program with the following Agencies, Political Subdivisions, Corporations for a period of one (1) year:
American Cancer Society (8/1/2004 through 7/31/05)
Community Action Corporation of South Texas
Project Niños Childhood Intervention Program (8/1/2004 through 7/31/05)
Gateway Community Health Center, Inc., for the "Lado a Lado" Program (8/1/2004

through 7/31/05)
Laredo Children's Museum (8/1/2004 through 7/31/05)
Laredo Independent School District (8/1/2004 through 7/31/05)
City of Laredo for the Laredo Public Library (9/1/2004 through 8/31/05)
United Independent School District (8/1/2004 through 7/31/05)
and authorizing the County Judge to execute all relevant documents.
[Requested by Head Start]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 18 Discussion and possible action to enter into Speech Therapy Service Agreement for Children enrolled in the Webb County Head Start Program for a period of one year, at reduced fees as set forth in the agreements, with the following Service Providers:
Terry Kimmel – 08/01/04 through 7/31/05
Haydee M. Gonzalez – 9/1/04 through 8/31/05
and authorizing an Exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements)
and authorizing the County Judge to sign all relevant documents.
[Requested by Head Start]

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 19 Discussion and possible action to enter into Mental Health Service Agreements for Children enrolled in the Webb County Head Start Program for a period of twenty-four (24) months, beginning August 1, 2004 through July 31, 2006, at reduced fees as set forth in the agreements, with the following Service Providers:
Denise L. Bradley, LPC
Dr. Timothy Brown, Clinical Psychologist
El Puente Counseling Center
Deer Oaks Mental Health Associates
Luis E. Flores, M.A., LPC, LCDC
Dr. Daniel Garza, M.D.
Guillermo E. Gonzalez, Jr., Ph.D.
Dr. Karen Henderson, Psychologist
Professional Counseling Center
Ramirez Counseling Service

Beatriz Rivero, M.A., L.P.C.

Diana S. Salinas

and authorizing an exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents.[Requested by Head Start]

Cmr. Cortez requested the title for Ms. Diana Salinas shown on list of service providers.

Ms. Elisa Oliveros, Head Start Director, apologized for the error and stated she would advise her staff and send a memo with information.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 20 Discussion and possible action to approve a one-year maintenance and technical support contract between Webb County and Crystal Reports for the M.I.S. Department for a total amount of \$4,990.00. [Account # 001-0500-6402 Equipment Maintenance]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 21 Discussion and possible action to enter into a Service Agreement with Simplex-Grinnell for the inspection of the sprinkler systems located at the Justice Center (1 wet system, 2 dry systems) which includes the Tax Office (1 wet system) for the sum of ONE THOUSAND TWO HUNDRED AND THIRTY-SIX DOLLARS (\$1, 236.00) and for the Administration Building (1 wet system) for the sum of SIX HUNDRED AND EIGHTEEN DOLLARS (\$618.00) and authorizing the County Judge to execute all relevant documents. [Account # 001-0106-6401 Building Maintenance, Requested by Facilities Director]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 22 Discussion and possible action authorizing a court order adopting Webb County's Emergency Management Plan.

Mr. Tomas Rodriguez, County Engineer, asked for item to be tabled.

Cmr. Gutierrez motioned for item to be tabled. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 23 Discussion and possible action authorizing the Purchasing Agent to acquire the services of a licensed land surveyor to perform an on ground survey and authorize the County Engineer, County Planner and Road and Bridge Superintendent to develop a proposed right of way plan for Galvan Road.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Cortez wished to thank Mr. Villarreal & Mr. Booth for meetings on item. He would further like to see the county engineer come up with a set of criteria on how a county road is defined. This would then help court have one set plan and prevent it from deviating in the future and allow for the same plan to be used on each county road. Judge Bruni added that Cmr. Cortez's idea would be a good agenda item and requested it be added to next meetings agenda.

Item No. 24 Discussion and possible action authorizing the Utilities Department to increase the water and sewer rates effective September 1, 2004, and to conduct a Public Hearing on July 12, 2004, at the Webb County Commissioners Court meeting for the proposed water and sewer rates.

Cmr. Velasquez asked what the increase in revenue would generate and whether or not it would help cover the deficit in the utility fund. Mr. Tomas Rodriguez, County Engineer, stated the increase would be approximately 10% and would generate \$80,000.00 in revenue. This would also help meet the future debt service.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 25 Discussion and possible action authorizing Change Order # 2 to Jimmy Closner & Sons Construction Company, increasing the contract by

\$34,700.00 from \$1,036,562.47 to \$1,071,262.47, for the TWDB-EDAP Rio Bravo Water Line Replacement Project. This change order is for the installation of 1,000 feet of a 12" water line, two 12" gate valves and three fire hydrants for the Self Help Center plat. [Account # 504-6500-8707 Neighborhood Facilities Self Help Center]

Cmr. Cortez commented that he had received a letter stating one of the projects had stopped and one of the contractors had said he would stop working. He questioned whether this project in question was the project mentioned.

Mr. Tomas Rodriguez, County Engineer, stated that the project was the Self Help Center project and that they needed to install a 12 inch water line. He stated they used this project because it had good water line prices therefore saving the county money. He further stated the contractor is working and that a letter was sent to contractor asking if he was going to stop working and reason why.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 26 Discussion and possible action authorizing Change Order # 1 to Ramos Industries, Inc., increasing the contract by \$78,000.00 from \$1,240,540.00 to \$1,318,540.00. This change order will provide an Odor Control System to the TWDB-EDAP Wastewater Collection System on the north side of El Cenizo, three lift stations and one force main connecting to the Regional Wastewater Treatment Plant. [Texas Water Development Board Grants]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 27 Discussion and possible action authorizing Change Order # 2 to Ramos Industries, Inc., increasing the contract by \$7,337.00 from \$4,334,413.59 to \$4,341,750.59. This project is an expansion of 850,000 gallons per day to the existing 650,000 gallons per day Waste Water Treatment Plant which will give it a capacity of 1,500,000 gallons per day. This action is subject to Texas Water Development Boards' approval. [Account # 646-8005-8801-8 Capital Outlay Waste Water]

Cmr. Velasquez questioned Mr. Tomas Rodriguez, County Engineer, what would happen if the Texas Water Development Board did not approve action and whether or not the county would have to pay for contract. Mr. Tomas Rodriguez, County Engineer, answered that every action is subject to approval of board. He further stated that he spoke to the engineer that as long as the total price was not increased, the action would be approved.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 28 Discussion and possible action authorizing the transfer of funds for the TWDB-EDAP Projects Fund 610:

From:	8006-8801-11	Water Right	\$300,000.00
To:	8005-6099-6	Project Management	\$300,000.00
			(New Account)

Cmr. Gutierrez motioned to approve item as submitted. Judge Bruni seconded the motion.

Cmr. Cortez questioned Mr. Tomas Rodriguez, County Engineer, what the new account was for. Mr. Tomas Rodriguez, County Engineer, answered that with this transfer and bond monies received they will be able to pay for the partial salaries of the engineering department. Cmr. Cortez also asked why water rights had not been purchased. Mr. Tomas Rodriguez, County Engineer, answered that they had been purchased four years ago. He also added that water rights could not be bought with bond money. Cmr. Velasquez asked for report that shows different bond money, their balances, and which projects have been approved. Judge Bruni questioned how many water rights were owned by Webb County and how they are classified. He also questioned what the remaining balance would be for the purchase of future water rights. Mr. Tomas Rodriguez, County Engineer, answered that he believed what was owned was close to 2400 acre feet of municipal water rights but was not sure if that was the correct amount. He also added that the remaining balance would be \$600,000.00.

Motion carried 5-0 by unanimous consent.

Item No. 29 Discussion and possible action authorizing the transfer of funds for the Records Management Building Expansion Series 2000 Projects Fund 685:

From:			
Fund 683	Interest Income		\$ 74,404.00
696-0104-8801	Economic Development		\$ 3,072.00
696-1010-8801	CCL # 1 Computer		\$ 3,300.00
696-1011-8801	CCL # 2 Video Camera		\$ 1,000.00

696-1110-8801	District Clerk	\$ 6,815.00
696-1120-8801	County Clerk	\$ 1,407.00
696-2600-8801	Security wand Detectors	\$ 4,500.00
696-6106-8801	Penitas Community Center	\$ 17,765.00
696-8007-8801	Capital Outlay	\$ 7,737.00
		Total: \$120,000.00

To:		
685-0116-8601	Construction in Progress	\$120,000.00

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Cmr. Cortez commented on money being transferred from Penitas Community Center although building of project will not start until 2005. He further asked the court not to transfer the money from that account. Mr. Tomas Rodriguez, County Engineer, answered he had gone through the bond series and found that there was money interest earned and had different balances on different departments. He further commented that he did not meet with Cmr. Cortez because he did not feel it would concern him since that certain project was canceled. Cmr. Cortez clarified that the project was delayed, not canceled. Mr. Leo Flores, County Auditor, stated that this was Bond Series 2002 and Penitas Community Center fund used is strictly capital outlay and construction funds are in different account.

Cmr. Vasquez modified motioned to exclude Penitas Community Center monies. Cmr. Gutierrez amended her second.

Motion carried 5-0 by unanimous consent.

Item No. 30 Discussion and possible action to fill slot # 1795 (Network Specialist I) at \$14.42 per hour, effective July 6, 2004.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 31 Discussion and possible action to authorize the purchasing agent to solicit bids for annual contract for cellular phone service.

Cmr. Vasquez requested for Cellular Phone Committee to review options and report back to court. Mr. Eloy Ramirez, Purchasing Agent commented that current contract allotted 22,500 minutes a month and most employees with cellular phones are averaging 35,000 a month. He further said that at one time, the court entertained the possibility of giving a stipend or allowance to those with cellular phones. He added that he needed to take bids for item since the contract will expire at the end of the budget year. Judge Bruni requested a list with names of elected officials and

employees with cellular phones and critique list find the highest need for cells in list. Cmr. Velasquez stated he believed an allowance would solve the problem. Mr. Carlos Villarreal, Commissioners Court Executive Administrator commented that he did not think it was fair to issue allowance to those who use cellular phones for business purposes only and believes a stronger plan is needed. Judge Bruni suggested to court to solicit bids for contract to benefit those who need cellular phones the most such as elected officials and department heads.

Cmr. Gutierrez motioned to solicit bids for cellular plans for employees who are in need of them. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 32 Discussion and possible action to approve the issuing of an allowance of \$50.00 a month for cellular phone service to county employees and eliminate the annual contract for cellular phone service.

Cmr. Cortez motioned to table item. Cmr. Gutierrez seconded the motion.

Motion carried 4-1 with Cmr. Velasquez voting against.

- Item No. 34 Discussion and possible action to authorize the purchase of the following equipment for the Drug Impact Court from Account # 227-1021-8801 Capital Outlay:

Fax	\$ 948.00	OCS
2 PC's	\$3,652.74	L. Norton
35 Copies/Min. Copier	\$4,725.00	Neville

Cmr. Gutierrez motioned to approve item as submitted. Judge Bruni seconded the motion.

(Motion failed 2-3 with Cmr. Vasquez, Cmr. Velasquez and Cmr. Cortez voting against.)

Cmr. Cortez motioned for item to be included in next year's budget. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 35 Discussion and possible action regarding requests for proposals for: (1) property, casualty, and liability insurance, (2) workers compensation excess insurance, (3) third party claims administration services, and (4) medical cost containment services beginning October 1, 2004, and any matters incident thereto.

Cmr. Gutierrez motioned to approve item as submitted. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 36 Discussion and possible action to seek request for qualifications for an insurance consultant to provide consulting services to include, but not limited, to preparing request for proposals regarding property, casualty and liability insurance; claims services administration; workers compensation excess insurance; and medical cost containment services beginning October 1, 2004, and any matters incident thereto.

Judge Bruni motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 38 Discussion and possible action to approve the following line item transfer:

From:

001-0300-6403	Repairs & Maintenance Vehicles	\$ 725.00
001-0300-6204	Fuels & Lubrication	\$ 499.00
001-0300-6011	Training & Education	\$ 500.00
	Total:	\$1,724.00

To:

001-0300-5602	Mileage	\$ 150.00
001-0300-6205	Materials and Supplies	\$1,574.00
	Total:	\$1,724.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Ms. Delia Perales, County Treasurer asked for item to be tabled after item was approved.

Cmr. Gutierrez motioned to bring back item for revote. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to table item. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 39 Discussion and possible action to approve payment of arrearage wages owed to Oscar Villarreal who was appointed Interim Elections Administrator in the amount of \$11,588.34 covering wages from October 2, 2003, through June 10, 2004.

Cmr. Velasquez questioned court when the elections administrator would be replaced. Judge Bruni responded that decision would be made once the commission convenes to review interested applicants and added that he would ask other committee members to move forward to replace the elections administrator.

Cmr. Velasquez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 40 Discussion and possible action regarding Civil Action No. L-02-125; Leticia Hernandez and Deanira Vasquez vs. Webb County, Texas, Cynthia Mares, Jorge Flores, and Louis H. Bruni; In the United States District Court for the Southern District of Texas, Laredo Division. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Michael Bukiewicz, Assistant County Attorney, requested that item be tabled.

Cmr. Gutierrez motioned to table item. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move into Executive Session. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (3:58 pm to 4:55 pm)

Judge Bruni reconvened meeting and stated that no action was taken while in Executive Session.

- Item No. 41 Discussion and possible action to approve contract with Landata Technologies as per proposal submitted for "Restoration and Preservation of Webb County Clerk Records." [Fund 05 County Clerk

Archive and Fund 09 Webb County Clerk Records Management and Preservation Fund]. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Michael Bukiewicz, Assistant County Attorney, advised the court to table item and meet with Ms. Margie Ramirez Ibarra, County Clerk, Mr. Homero Ramirez, County Attorney, Mr. Leo Flores, County Auditor, Mr. Carlos Villarreal, Commissioners Court Executive Administrator and Mr. Raul Casso to present plans for Records Management and Archive Fees to the court.

Cmr. Gutierrez motioned to table item. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 42 Discussion and possible action regarding employee who elected optional term life insurance coverage in cafeteria plan but who was not enrolled in the plan. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matter)]

Mr. Michael Bukiewicz, Assistant County Attorney, advised court to approve the amount equivalent to the term life insurance policy, which is \$40,000.00, for employee in question.

Cmr. Velasquez motioned to accept assistant county attorney's recommendation. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 43 Discussion and possible action related to litigation threatened by the Texas Commission on Jail Standards. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Michael Bukiewicz, Assistant County Attorney, advised the he court received a status report in executive session from their routine counsel Mr. Jim Allison therefore no action was asked or required.

- Item No. 44 Adjournment

Cmr. Gutierrez motioned to adjourn meeting. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.